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LOCAL SELF-GOVERNMENT DEPARTMENT

LOCAL SELF-GOVERNMENT.

CIVIL SECRETARIAT
27 JUN 1940
LAHORE.

RESOLUTION

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REVIEWING

The reports on the working of union boards and panchayats in Bihar during the year 1937-38.

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No. 2481-L. S.-G.

GOVERNMENT OF BIHAR.

LOCAL SELF-GOVERNMENT DEPARTMENT.

RESOLUTION.

Patna, the 18th May 1940.

READ—The reports of Commissioners of Divisions on the working of union boards and *panchayats* in Bihar during the year 1937-38.

Preliminary.—The total number of union boards in the province rose from 135 to 147 during the year under review. The increase was due to the splitting up of nine union boards of unwieldy composition in the district of Patna into 20 smaller boards and the creation of a new union board at Raniganj in the Kishanganj subdivision of the Purnea district. Their distribution by divisions was 80 in Tirhut, 30 in Patna, 27 in Bhagalpur and 10 in Chota Nagpur. There was no other change in the jurisdiction of the existing union boards in the province or in the numerical strength of the members of the boards.

Judicial powers under part V of the Bihar and Orissa Village Administration Act were conferred during the year on the union boards of Chichrawan, Tilakpur, Ratanpur and Bath in the Sadr subdivision of Bhagalpur.

Chaukidari work.—The relations of the union boards with the police and the magistracy were on the whole satisfactory and cordial during the year under report. Only two cases have been reported where there were differences of opinion between union boards and the local police over the appointment of chaukidars. No case of negligence of duty or misconduct on the part of rural police was reported from anywhere during the year under review except that in the Athar union board in Muzaffarpur a dafadar and two chaukidars were found guilty of supressing crimes under section 397, I. P. C. They were removed by the Superintendent of Police. Nominations for the appointment of chaukidars and dafadars were received punctually on the whole and accepted by the Subdivisional Officers except as in previous years the union boards of the Hajipur subdivision in the district of Muzaffarpur kept up their tradition of unpunctuality in the matter.

In most of the union boards the system of periodical muster parades was continued during the year. This system has proved useful to the executives in getting prompt information of outbreaks of epidemics and matters of general interest. Weekly parades were held in Gopalganj union board as it is in charge of registration of vital occurrences in the union board area. The attendance of chaukidars at muster parades is reported to have been satisfactory during the year. In the Tirhut Division parades were not held at all, as in previous years, in the union boards of Naini, Ekma and Masrak in the district of Saran. Parades were not held also in the Raniganj-Imamganj union board in the district of Gaya. In the district of Bhagalpur parades were held only in two out of the six union boards where part III of the Village Administration Act is in force. None of the union boards in Purnea have been empowered to hold muster parades.

Government note with regret that very few union boards are reported to have recommended rewards to chaukidars for good work. Government would once again draw the attention of union boards to the importance of encouraging chaukidars to do good work by making proper use of their powers for

rewarding chaukidars in deserving cases. The salaries of chaukidars and dafadars and their equipment money were generally paid regularly by the majority of union boards. The exceptions, in this respect, were the union boards of Silao, Sithaura, Rajgir, Maner, Nabinagar, Kako, Arwal, Chougain and Barhampur in the Patna Division; Mirganj, Parsa, Guthni, Ekma, Masrakh, Kushi, Madhurapur and the union boards in the Sitamarhi subdivision in the Tirhut Division.

Except in a few instances the assessment of chaukidari tax was generally fair throughout the province. There were complaints about unfair assessment in the Chaugain union board in the district of Shahabad due to party factions. These complaints were enquired into locally by the Parliamentary Secretary to the Minister of Local Self-Government and his suggestions were communicated to the local officers for guidance. Complaints were also received, as in the previous year, regarding improper assessment in the Aghnanagar union board in the district of Muzaffarpur. The Special Officer visited the Aghnanagar board and assessed the tax on an equitable basis. Irregularities were noticed in the matter of deposit of collections by the tahsildars of Sonepur and Ekma union boards. The new system of assessment introduced last year in the district of Purnea based on the annual income of tax-payers, is reported to have given general satisfaction.

Although collections are reported to have been generally satisfactory, they were poor in some of the union boards in the Patna and Tirhut Divisions. Collections in Silao, Sithaura, Rajgir and Maner in Patna district were bad due probably to the splitting up of the union boards during the year. Laxity in the realization of tax was also noticed in Barhampur union board in Shahabad district. In the Tirhut Division collections were unsatisfactory in the union boards of Mirganj, Guthni, Chaitanparsa, Masrakh and Ekma in Saran and in Mehsi, Chainpatia and Shikarpur union boards in Champaran. In some cases tahsildars had to be deputed to collect the chaukidari tax to ensure payment to chaukidars in time. Slackness of the collecting staff, lack of proper supervision and reluctance of the executives to issue distress warrants due to their fear of incurring unpopularity are the main causes that were responsible for bad collections. In Madhurapur union board in Darbhanga the heavy balance remaining uncollected at the end of the year was due to economic depression owing to the damage caused by floods.

The percentage of outstanding balance on current demand fell in the case of Bhagalpur Division from 35·5 to 32·8 but rose markedly in the case of the Patna Division from 21·1 to 27·6. In Tirhut it rose from 18·29 to 18·43. Government regret to note that the provincial percentage of outstanding arrears on current demand at the close of the year under review rose from 24·32 to 26·31.

Judicial work—Panchayats.—Table III appended to this resolution gives a statistical analysis of the judicial work done by *panchayats* constituted under the Bihar and Orissa Village Administration Act, 1922. The distribution of *panchayats* during the year under review was 12, 3 and 109 respectively in the Patna, Bhagalpur and Tirhut Divisions. Compared with the preceding year, there was a slight decrease in the number of criminal cases and a fair increase in the number of civil suits instituted during the year. Owing to factions among the members of the Rohika union board, the *panchayat* was not constituted for a considerable time and the public refrained from instituting cases before the board. Hence there was a fall in the number of cases instituted in the district of Darbhanga. 140 criminal cases and 312 civil suits were transferred to *panchayats* by regular courts against 89 and 11 respectively during the preceding year. This is satisfactory and Government are glad to note the increasing encouragement which the village courts are receiving from regular courts. Twenty-seven criminal cases and no civil suit were transferred by *panchayats* to regular courts during the year under review. The number of cases dismissed for default was 443 criminal and 1,112 civil against 441 and 1,026 respectively in the previous year. In 266 criminal cases and 425 civil suits against 282 and 225 respectively in the

previous year, the accused or the defendants objected to trial by *panchayats.* The increase in the number of civil suits to the trial of which objections were taken is noticeable. Government regret to note that there was a decrease as compared with the previous year in the number of civil and criminal cases disposed of on the first appearance. Government would take the opportunity to draw attention once more to the importance of speedy disposal of petty disputes. The *panchayats* at Chaitanparsa and Masrakh in the district of Saran are reported to have been irregular in their sittings. It is reported that 20 out of 56 sittings of the former board and 13 out of 46 sittings of the latter board failed for want of quorum. There were also too many adjournments for *adam fursat* (want of time) in the Chaitanparsa *panchayat* court. This is unsatisfactory and care must be taken to avoid unnecessary adjournments in future.

Taxation—Income and Expenditure.—The statistical table II deals with the income and expenditure of the union boards. There was a remarkable fall in the average figure of grants-in-aid made by district boards in the province during the year under review. The average figure for the province is only Rs. 1,724·8 against Rs. 2,188·09 in the preceding year. The fall is conspicuous in the Tirhut Division which has the largest number of union boards in the province. The district board of Muzaffarpur contributed under section 51 of the Act only Rs. 449·5 per union board during the year against Rs. 1,149 in the previous year. In the Patna Division also the average grant per board fell from Rs. 3,889·58 to Rs. 2,556·3. The position is more satisfactory in the other two divisions. The average grant per board in Bhagalpur and Chota Nagpur Divisions was Rs. 2,928·7 and Rs. 964·2 against Rs. 2,908·2 and Rs. 814·6 respectively in the preceding year.

In Tirhut, Bhagalpur and Chota Nagpur Divisions there was an increase in the average union tax imposed by union boards but the average taxation fell appreciably in the Patna Division for which no explanation has been furnished. Assessments appear to have been generally fair except in the districts of Gaya and Shahabad where they were disproportionate to the assets of the rate-payers. This was noticed particularly in the Rajauli and Nabinagar union boards in the district of Gaya. The imposition of the tax in the Bhagalpur Division was satisfactory except only in the district of Bhagalpur where it was very light owing to the non-observance of the principles of assessment laid down in section 47 of the Act. It is unsatisfactory that no union tax was imposed in any of the union boards in the district of Patna. Collections of union tax were generally fair except in Chainpatia and Shikarpur in the district of Champaran; Arwal in Gaya; Tilaya, Mirzaganj and Barkisariya in Hazaribagh; Gumla and Bundu in Ranchi; Garhwa in Palamau district; in most of the union boards in the Purnea district and Naugachia, Sultangunj, Banka and Supaul in the district of Bhagalpur. In the previous year also collections were unsatisfactory in the case of almost all these boards. Though there has been some improvement in the collection of union tax in Purnea, there is still room for further improvement. The worst offenders in the matter of unsatisfactory collection of union tax appear to have been Araria and Manihari in Purnea district and the Bundu union board in the district of Ranchi. Though the provincial percentage of outstanding balance on current demand of union tax has risen from 43.82 for the preceding year to 45·56 during the year under review, the rise is attributable to the Patna and Chota Nagpur Divisions only. In the other two divisions there was a fall in the percentage of outstanding balance on current demand, though the percentage in the Bhagalpur Division is still undesirably high.

There was a welcome drop in the expenditure under "Establishment" in the Bhagalpur Division though it is still somewhat high. The expenditure under the items 'Roads', 'Water-supply', 'Drainage', 'Conservancy', 'Education' and 'Medical relief' was generally satisfactory in all divisions except that there was a noticeable drop in the expenditure under 'Roads' and 'Drainage' in the Patna Division, and the expenditure under 'Medical relief' in Chota Nagpur was remarkably low. It is satisfactory that the expenditure under 'Education' rose everywhere compared with the preceding year except

in Patna Division where it was maintained practically at the same level as before.

General.—The working of the Bihar and Orissa Village Administration Act was not marked by any noticeable improvement during the year under review. No real work of public utility can be expected from the union boards unless the district boards and their executives take interest in their affairs. While, however, the failure of union boards to achieve any useful results so far has undoubtedly been due to a great extent to apathy on the part of district boards, it is also accounted for, perhaps in a greater measure, by the unwillingness of union boards to court unpopularity by imposing the union tax though they have only been too anxious to secure *panchayati* powers. It is regrettable that in Darbhanga none of the union boards imposed union tax during the year under review and they had to depend mainly on grants from the district board for carrying on works of public utility. On the other hand, Government note with satisfaction that the chairman of the Patna district board convened a conference of the presidents of union boards in his district and impressed upon them the necessity of imposing union tax and that as a result the Nataul and Masaurhi union boards have sanctioned the levying of union tax and a few other union boards in the district are contemplating similar action. This is a move in the right direction which Government hope will be emulated in other districts.

It is reported that both in Gaya and in Shahabad there was a good deal of complaint and dissatisfaction about the way in which the union tax has been assessed. In some of the union boards, such as Chaugain and Barhampur in Shahabad and Naugachia and Gangania in Bhagalpur, party factions militated against the smooth working of the boards. According to the Commissioner of the Patna Division the *panchayats* generally failed to command public confidence in regard to their judicial work. The state of affairs at Nabinagar in Gaya district was far from satisfactory where delay was the rule in the disposal of cases and promptness the exception. In other respects too, the work of this union board is reported to have been very unsatisfactory. Government note with regret that the district board of Muzaffarpur has not yet given effect to its resolution passed as far back as 1933 for transferring to the union boards control over primary education, pounds and ferries. The Commissioner reports that there is little hope of this resolution being ever given effect to.

The activities of union boards were restricted as usual to the maintenance and repairs of roads, primary education, water-supply, drainage, sanitation, conservancy and medical relief. Lighting arrangements have also been made by certain union boards. The union boards of Mokameh, Futwah, Khusrupur, Silao, Bihar, Masaurhi, Phulwari and Serpore in the Patna Division continued to do useful work. In Purnea a Homeopathic dispensary was run by the Araria union board through the local Ram Krishna Mission and the other union boards of the district confined their medical activities to the distribution of quinine pills and other medicines free. Some of the union boards in Purnea have their own schools in addition to the district board schools and *maktabs*. The rural uplift schools for boys and girls at Musapur, the Tirhutia Musahar school and the Magahia Musahar school at Barari that were started under the rural uplift scheme of the district were taken over by the Purnea district board during the year. The Harijan school under the Korha union board is being solely financed by the union board itself. In Palamau, the Garhwa and Hussainabad union boards made arrangements for lighting their streets and lanes. Satisfactory sanitary and conservancy arrangements also exist in both the unions.

During the year all union boards in the districts of Patna and Saran, 12 union boards in Muzaffarpur, two in Darbhanga, Kako union board in the district of Gaya and the union boards in the district of Hazaribagh were reconstituted after general elections.

All union boards met fairly regularly but the attendance of members was not altogether satisfactory. In Darbhanga and Palamau meetings often failed

for want of quorum, which can only be explained by lack of interest on the part of the members. Inspections of union boards by Government officers were generally adequate but the district board members and executives took little interest in the affairs of union boards, especially in the Tirhut Division. Only one union board in Saran and one in Muzaffarpur were inspected by the executives of the district boards concerned during the year under review.

Government desire to express their thanks to the local officers for their reports on the working of union boards.

By order of the Governor of Bihar,

B. C. MUKHARJI,

Secretary to Government.

MEMO. NO. 2481-L. S.-G.

Dated the 18th May 1940.

Copy forwarded to the Commissioners of Divisions, for information. District boards and union boards have been supplied copies through District Officers.

By order of the Governor of Bihar,

B. C. MUKHARJI,

Secretary to Government.

MEMO. NO. 2481-L. S.-G.

Dated the 18th May 1940.

Copy forwarded to all District Officers, except the District Officers of the Santal Parganas, Manbhum and Singhbhum, for information and for communication to district and union boards.

By order of the Governor of Bihar,

B. C. MUKHARJI,

Secretary to Government.

MEMO. NO. 2481-L. S.-G.

Dated the 18th May 1940.

Copy forwarded to the Political / Judicial / Education Department, for information.

By order of the Governor of Bihar,

B. C. MUKHARJI,

Secretary to Government.

Statistical Table I (General).

——	Tirihut Division.	Patna Division.	Bhagalpur Division.	Chota Nagpur Division.	Provincial figure.
1	2	3	4	5	6
1. Total number of union boards.	80	30	27	10	147
2. Number of union boards with area exceeding—					
(*a*) 5 square miles ..	70	27	23	5	125
(*b*) 10 square miles ..	36	23	22	1	82
3. Total population ..	843,944	408,342	344,102	54,354	1,650,742
4. Number of union boards with population exceeding 10,000.	43	21	12	1	77
5. Total voters ..	71,005	54,573	36,788	5,264	167 630
6. Number of union boards with voters exceeding 1,000.	28	25	15	1	69
7. Number of union boards exercising powers under part III.	79	30	23	..	132
8. Number of union boards exercising powers under part V.	72	13	3	..	88

Statistical Table II (Income and Expenditure).

——	Tirhut Division.	Patna Division.	Bhagalpur Division.	Chota Nagpur Division.	Figure for the province.
1	2	3	4	5	6
	Rs.	Rs.	Rs.	Rs.	Rs.
1. Average union fund opening balance of union boards.	203·2	634·2	1318·8	468·5	656·1
2. Average union tax imposed in union boards which impose it.	287·8	454·2	928·0	701·7	592·9
3. Average grants made by district boards under section 51 of the Act.	449·5	2556·3	2928·7	964·8	1724·8
4. Average income other than chaukidari.	959·45	3827·46	6014·7	2645·6	3362·05
5. Expenditure on—					
(*a*) Establishment other than chaukidari.	4,252	6,461	7,491	1,231	19,435
(*b*) Roads ..	7,236	4,156	17,798	1,458	30,648
(*c*) Water-supply ..	4,179	5,693	14,519	204	24,595
(*d*) Drainage ..	1,443	1,245	128	1,100	3,916
(*e*) Conservancy ..	3,606	10,898	4,920	7,103	26,527
(*f*) Education ..	27,964	53,144	55,123	4,676	1,40,907
(*g*) Medical Relief ..	398	2,128	398	119	3,043
6. Percentage of outstanding balance on current demands—					
(*a*) For chaukidari tax	18·43	27·66	32·85	..	26·31
(*b*) For union tax ..	27·49	50·17	70·04	34·57	45·56

Statistical Table III (Judicial).

—	Tirhut Division.	Muzaffarpur district.	Patna Division.	Bhagalpur Division.	Provincial Total.
1	2	3	4	5	6
1. Total number of *panchayats*.	109	94	12	3	124
2. Number of cases instituted—					
(*a*) Criminal ..	1,917	1,629	73	219	2,209
(*b*) Civil ..	7,615	5,929	1,137	529	9,281
3. Number of cases transferred to *panchayats*—					
(*a*) Criminal ..	125	69	..	15	140
(*b*) Civil ..	212	212	100	..	312
4. Number of cases transferred to courts by *panchayats*—					
(*a*) Criminal ..	24	23	1	2	27
(*b*) Civil ..	..	..	..	..	..
5. Number of cases for disposal—					
(*a*) Criminal ..	2,211	1,844	85	273	2,569
(*b*) Civil ..	8,456	6,571	1,379	601	10,436
6. Number of cases dismissed for default—					
(*a*) Criminal ..	373	328	17	53	443
(*b*) Civil ..	939	807	77	96	1,112
7. Number of cases in which the accused or defendant objected to trial—					
(*a*) Criminal ..	229	208	3	34	266
(*b*) Civil ..	281	175	135	9	425
8. Number of cases disposed of on first appearance—					
(*a*) Criminal ..	438	320	23	44	505
(*b*) Civil ..	813	544	185	56	1,054
9. Number of cases disposed of on third appearance—					
(*a*) Criminal ..	837	702	31	82	950
(*b*) Civil ..	1,423	1,135	536	197	2,156
10. Number of Criminal cases—					
(*a*) Convicted ..	277	202	15	39	331
(*b*) Acquitted ..	550	486	15	28	593
(*c*) Compromised ..	1,276	1,103	65	116	1,457
11. Number of civil suits decided—					
(*a*) For plaintiff ..	1,793	1,331	298	79	2,170
(*b*) For defendant ..	443	348	101	23	567
(*c*) Compromised ..	1,710	1,416	208	196	2,114

BGP(LSG) 13—825+25—25-5-1940—MMG

SUMMARY FOR GOVERNOR

S. & G. A. D.

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